

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED: 26.10.2017

CORAM

THE HONOURABLE MR.JUSTICE S.S.SUNDAR**Cr1.O.P. (MD) No.14339 of 2017**

Balamurugan

... Petitioner/Sole Accused

-Vs-

1. The Inspector of Police,
Sattankulam Police Station,
Thoothukudi District.
(In Crime No.325 of 2017)

... 1st Respondent/Complainant

2. Rajasenathipathy

... 2nd Respondent/De-facto Complainant

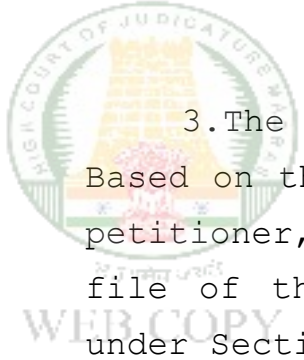
Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to call for the records relating to the FIR dated 25.09.2017 in Crime No.325 of 2017 on the file of the first respondent police and quash the same.

For Petitioner	: Mr.RMS.Sethuraman
For R-1	: Mr.K.S.Duraipandian
	Additional Public Prosecutor
For R-2	: Mr.A.Arul Janifer

O R D E R

This Criminal Original Petition has been filed to quash the FIR, dated 25.09.2017, in Crime No.325 of 2017, on the file of the first respondent police.

2.Heard the learned Counsel appearing for the petitioner, the learned Additional Public Prosecutor appearing for the first respondent and the learned Counsel appearing for the second respondent.



3.The petitioner is the sole accused in Cr.No.325 of 2017. Based on the complaint lodged by the second respondent, against the petitioner, the case was registered in Crime No.325 of 2017, on the file of the first respondent police, for the offences punishable under Sections 341, 294(b) and 506(ii) IPC.

4.It appears that the on the advice of well wishers and relatives, the parties have settled their dispute amicably out of Court and they have also entered into a compromise. A Joint Compromise Memo, dated 23.10.2017, signed by both parties, in the presence of their respective counsel, is also filed. As per the Joint Compromise Memo, the de-facto complainant, namely, the second respondent has stated that he has no objection for quashing the First Information Report in Cr.No.325 of 2017.

5.The parties appeared before this Court and expressed in unequivocal terms that they have signed the Joint Compromise Memo on their own will and free volition. The identity of the parties are verified with reference to the authenticated documents produced by the parties before this Court. The identity of the parties are also confirmed by the learned Additional Public Prosecutor through the first respondent police.

6.Having regard to the specific terms of the Joint Compromise Memo, this Court is of the view that no useful or fruitful purpose will be served by keeping this matter pending. Hence the First Information Report in Cr.No.325 of 2017 on the file of the Inspector of Police, Sattankulam Police Station, Thoothukudi District, is quashed in toto. The Joint Compromise Memo signed by the parties shall form part of the order. Accordingly, the Criminal Original petition is allowed.

Sd/-
Assistant Registrar (Crl.Side)



(Encl. Xerox copy of compromise memo)

1. The Inspector of Police,
Sattankulam Police Station,
Thoothukudi District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to M/S.RMS.SETHURAMAN, Advocate SR.No.83793.

Cr1.O.P. (MD) No.14339 of 2017
26.10.2017

cmr
SDS/MR:KKR/SAR 2/06.11.2017/3P/4C